7252216/2023/OP-I-AGC01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Service - Agricultural Marketing Department – Departmental proceedings initiated against Sri L. Nityanandam, the then Assistant Director of Marketing(FAC), Kadapa and District Agriculture Trade & Marketing Officer, Krishna District under Rule 20 of A.P. Civil Services (Classification, Control & Appeal) Rules, 1991– Article of Charge – Issued.

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AGRICULTURE & COOPERATION (VIG.II) DEPARTMENT

G.O.Rt.No.264 **Dated:18.04.2023**

Read the following:-

1) E-file No.AGC05-16021/53/2022-DISCPLR SEC-MRKT(Computer No.1919583), dated:28.02.2023 & 28.03.2023 of the C&DoAM, AP, Guntur.
2) G.O.Ms.No.20, A&C(Vig.II)Dept., dated:18.04.2023.

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O R D E R:

It is proposed to hold an inquiry against Sri L. Nityanandam, the then Assistant Director of Marketing(FAC), Kadapa and District Agriculture Trade & Marketing Officer, Krishna District in accordance with the procedure laid down under Rule 20 of A.P. Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statements of article of charge (Annexure–I & II). A list of documents by which and a list of witnesses by whom the article of charge are proposed to be sustained are also enclosed(Annexure–III & IV).

3. Sri L. Nityanandam, the then Assistant Director of Marketing(FAC), Kadapa and District Agriculture Trade & Marketing Officer, Krishna District is directed to submit his written statement of defence within 15 days from the receipt of this order.

4. Sri L. Nityanandam, the then Assistant Director of Marketing(FAC), Kadapa and District Agriculture Trade & Marketing Officer, Krishna District is informed that an inquiry will be held only in respect of those article of charge that are not admitted. He should, therefore, specifically admit or deny the article of charge.

5. Sri L. Nityanandam, the then Assistant Director of Marketing(FAC), Kadapa and District Agriculture Trade & Marketing Officer, Krishna District is further informed that if he does not submit his written statement of defence on or before the date specified in Para 3 above, further action will be proceeded based on the material available.

6. Sri L. Nityanandam, the then Assistant Director of Marketing(FAC), Kadapa and District Agriculture Trade & Marketing Officer, Krishna District is informed that Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 stipulates that under which no circumstances, Government servant shall bring or attempt to bring any political or outside influence to hear upon

(P.T.O.)

any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri L. Nityanandam, the then Assistant Director of Marketing(FAC), Kadapa and District Agriculture Trade & Marketing Officer, Krishna District is aware of such representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHARA PRADESH)

CHIRANJIV CHOUDHARY, IFS,
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri L. Nityanandam, the then Assistant Director of Marketing(FAC),
Kadapa and District Agriculture Trade & Marketing Officer, Krishna District.
(Through : The Commissioner & Director of Agricultural Marketing, A.P., Guntur)
Copy to:-
The Commissioner & Director of Agricultural Marketing, A.P., Guntur (with a request to serve the order on the individual and send the served copy with dated signature of the Charged Officer to Government)
✓SF/SC.

//FORWARDED :: BY ORDER//

K. Sampath Kumar
SECTION OFFICER

[Annexure to G.O.Rt.No.264, A&C(Vig.II) Dept., Datedt:18.04.2023]

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGE FRAMED AGAINST SRI L. NITYANANDAM, THE THEN ASSISTANT DIRECTOR OF MARKETING(FAC), KADAPA AND DISTRICT AGRICULTURE TRADE & MARKETING OFFICER, KRISHNA DISTRICT.

ARTICLE OF CHARGE:

"That Sri L. Nityanandam, the then Assistant Director of Marketing (FAC), Kadapa, presently working as District Agriculture Trade & Marketing Officer, Krishna District has committed irregularities while forwarded the erroneous service pension proposals in respect of Smt. G. Sakunthala, Junior Market Supervisor (Retired), AMC, Proddatur, even he is not competent/ scrutinize authority to forward pension proposals submitted by the Secretary, AMC, Proddatur to the Commissioner & Director of Marketing, A.P., Guntur as per Circular No. P-3-3174/2009, dated:27.05.2010 of Commissioner & Director of Marketing, A.P.

Thus, it shows his gross negligence towards his official duties and lack of devotion to duty and thus, violated the Rule 3 of A.P. Civil Services (Conduct) Rules 1964."

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGE FRAMED AGAINST SRI L.NITYANANDAM, THE THEN ASSISTANT DIRECTOR OF MARKETING(FAC), KADAPA AND DISTRICT AGRICULTURE TRADE & MARKETING OFFICER, KRISHNA DISTRICT.

Imputations of Charge :-

Basing on report of the Commissioner & Director of Agricultural Marketing, A.P., Guntur, Sri L. Nityanandam, the then Assistant Director of Marketing(FAC), Kadapa, presently working as District Agriculture Trade & Marketing Officer, Krishna District has forwarded the erroneous pension proposals in respect of Smt. G. Sakunthala, Junior Market Supervisor (Retired), AMC, Proddatur, who was voluntary retired from service with the qualifying service of 16 years 11 months and 19 days to the Commissioner & Director of Agricultural Marketing, A.P., Guntur, vide Letter No.SA/135/2018, dated:16.11.2018 of Assistant Director of Marketing, Kadapa.

It is noticed that Smt. G. Sakunthala, Junior Market Supervisor (Retired), AMC, Proddatur has voluntary retired from service on 30.09.2018 with the service of 16 years 11 months and 19 days. In terms of Rule 43 of A.P.Revised Pension Rules, 1980, he is not entitled for service pension, due to not having 20 years of qualifying service. There are specific instructions/ directions in Circular No. P-3-3174/2009, dt:27.05.2010 of Commissioner & Director of Agricultural Marketing, A.P., Guntur that on verification and scrutiny of pension proposals by the officers concerned.

Sri L. Nityanandam, the then Assistant Director of Marketing (FAC), Kadapa, presently working as District Agriculture Trade & Marketing

[Annexure to G.O.Rt.No.264, A&C(Vig.II) Dept., Datedt:18.04.2023]

Officer, Krishna District did not take any action on service pension proposal submitted by the individual as well as Secretary, Agricultural Market Committee, Proddatur, and simply forwarded the service pension proposals to the Commissioner & Director of Agricultural Marketing, A.P., Guntur, only with a request to kindly examine the pension proposal in respect of Smt. G. Sakunthala, Junior Market Supervisor (Retired), AMC, Proddatur and take appropriate action" instead of return the proposal back to the Secretary, AMC, Proddatur.

As per the service pension proposals submitted by Secretary, AMC, Proddatur, and as per forwarding proposals of Sri L. Nityanandam, the then Assistant Director of Marketing (FAC), Kadapa, presently working as District Agriculture Trade & Marketing Officer, Krishna District, the service pension have been sanctioned to Smt. G. Sakunthala, Junior Market Supervisor (Voluntary Retired), AMC, Proddatur. And as per verification, an amount of Rs.5,72,698/- (Rupees Five lakhs Seventy Two thousand Six hundred and Ninety Eight only) erroneously paid to Smt. G. Sakunthala, Junior Market Supervisor (Voluntary Retired), AMC, Proddatur, without having pension eligibility of the individual as per rules.

Thus it shows his gross negligence, failed to maintain absolute integrity, devotion to duty and conduct unbecoming of the public servant and contravened Rule 3 of A.P.C.S. (Conduct) Rule 1964. Hence, the charge.

ANNEXURE–III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SRI L. NITYANANDAM, THE THEN ASSISTANT DIRECTOR OF MARKETING(FAC), KADAPA AND DISTRICT AGRICULTURE TRADE & MARKETING OFFICER, KRISHNA DISTRICT.

1) Roc.No.50/2018, dated:26.09.2018 of the Chairman, Agricultural Market Committee, Proddatur.
2) Roc.No.50/2018, dated:10.10.2018 of the Special Grade Secretary, Agricultural Market Committee, Proddatur.
3) Letter No.SA/135/2018, dated:16.11.2018 of the Asst. Director of Marketing (FAC), Kadapa.
4) Note submitted No.Note#12 to Note#19, e-file No.18021/120/2018, dated:16.07.2019.
5) Procgs.No.D.Dis.No.P-2-18021/120/2018 (P.P.O.No.4188) dated: 16.07.2019 of Commissioner & Director of Agricultural Marketing, A.P., Guntur.
6) Circular No. P-3-3174/2009, dated: 27.05.2010 of Commissioner & Director of Agricultural Marketing, A.P.

ANNEXURE–IV

LIST OF WITNESSES BY WHOM BY THE ARTICLE OF CHARGES FRAMED AGAINST SRI L. NITYANANDAM, THE THEN ASSISTANT DIRECTOR OF MARKETING(FAC), KADAPA AND DISTRICT AGRICULTURE TRADE & MARKETING OFFICER, KRISHNA DISTRICT ARE PROPOSED TO BE SUSTAINED.

Smt. K. Nagaveni, Deputy Director of Marketing, O/o Commissioner & Director of Agricultural Marketing, A.P., Guntur.

CHIRANJIV CHOUDHARY, IFS,
PRINCIPAL SECRETARY TO GOVERNMENT